

EAST GOSHEN TOWNSHIP
MUNICIPAL AUTHORITY MEETING MINUTES
FEBRUARY 9, 2009

The East Goshen Township Municipal Authority held their regularly scheduled meeting on Monday, January 12, 2009 at 7:00 PM at the East Goshen Township building. Members in attendance were: Chairman Fran Beck, Mike Steinberger, Jack Yahraes, Joe McCawley, and Dana Pizarro. Also in attendance were: Township Manager Rick Smith, Authority Engineer Evan Andrews (Pennoni), Authority Solicitor Bob Adams, Mark Miller (Director of Public Works), Megann Hedgecock (PC), Walter Wujcik (CB) and Joe McDonough (BOS).

COMMON ACRONYMS:

MA – Municipal Authority

HC – Historical Commission

PC – Planning Commission

CB – Conservancy Board

PR – Park & Recreation Board

BOS – Board of Supervisors

I&I – Inflow & Infiltration

RCSTP – Ridley Creek Sewer Treatment Plant

LCSTP – Lockwood Chase Sewer Treatment Plant

DEP – Department of Environmental Protection

EPA – Environmental Protection Agency

PHMC – Pennsylvania Historical Museum Commission

NPDES – National Pollutant Discharge Elimination System

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Fran Beck called the meeting to order at 7:00 PM and led those present in the Pledge of Allegiance.

2. CHAIRMAN’S REPORT

Fran commented that the addition of acronyms to the monthly minutes is beneficial.

3. APPROVAL OF MINUTES

The minutes of January 12, 2009 were reviewed and corrected. Mike moved that the minutes of the January 12, 2009 meeting be approved as corrected. Jack seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

4. ENGINEERING REPORT

Evan reported that the Updated Revision for LCSTP and the Hershey Mill/Reserve PS Diversion Special Study will be considered for adoption by the BOS on 2/17/09; after which it will be sent to the DEP for review. The DEP expressed no opposition to the diversion plan for Hershey Hill during their meeting last week, and made no comments on the LCSTP.

Evan meet with the DEP on 2/5/09 to discuss the West Goshen Diversion Planning and Marydell Pump Station Diversion Planning. No planning module will be needed for the West Goshen diversion and the 2007 Wastewater Needs Evaluation will be sent to the DEP for review. A simple planning module update is needed for Marydell Farms’ pump station diversion. The “component 3M” was accepted by the DEP and Evan will submit the application for 50% payment for the repair this week. A draft of the I&I report is under review. The Chapter 94 Report for 2008 is being prepared; no significant findings are expected. Dana asked to see the areas being worked on, broken down in the I&I report.

The H2O-PA Grant Program will fund up to 50% of sanitary sewer projects and applies to projects started after 1/1/07. With the assistance of the township manager, Evan will submit their application for 50% of the design, permitting, construction and administrative costs of the RCSTP upgrade and expansion (\$4,641,950). EGT should be eligible but needs to show a “need” and sufficient grounds for the grant. Rick contacted state officials for support. The goal of the grant is to keep user fees down. The Commonwealth Finance Authority reviews the applications.

Evan met with the RSCTP contractors on 1/20 and 1/27 to discuss the project schedule, construction coordination and submittal status. Contractually 11/13/09 is the date of substantial completion but the contractor said 4/28/10 is a more realistic schedule. EGT originally intended the aeration tanks and sludge dewatering system to be worked on separately. If worked on simultaneously, the completion date could be moved up to 1/14/10, however additional liquid sludge hauling by the township (3 months instead of the previously agreed upon 1 month) would be needed and cost around \$30K. Bob urged the MA to work with the contractor to adjust the schedule and agree on a substantial completion date, while mitigating fees and reducing the extension period as much as possible. Liquidated damages are \$100/day. Rick said liquidated damages/engineering cost would equate to roughly an additional \$60K.

To date, the reinforcement for the SBR slab has been corrected, the first blower as been shipped for rebuilding, the influent yard piping is scheduled to start 2/9 and the concrete pour is scheduled for 2/11, depending on weather conditions. Evan added a “Chargeable Engineering” column to his spreadsheet to track additional costs but members discussed how best to differentiate what line items the contractor is contractually obligated to pay vs. routine re-submittals. Joe said notice of potential liabilities should be held until the end of the contract and negotiated with the contractor, rather than submitted as the project moves along; it will only confuse issues and inflate costs. Members agree to monitor the situation for now, get a proposal from the contractor and address any delay issues and their effects.

5. APPROVAL OF INVOICES

A. Gawthrop Greenwood, Inv. #67519, 12/31/08 – \$157.50

Jack moved to approve payment of the Gawthrop Invoice #67519, dated 12/31/08 in the amount of \$157.50 for general authority services. Joe seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

B. Pennoni, Inv. #399355, 2/05/09 – \$802.25

Mike moved to approve payment of the Pennoni Invoice #399355, 2/05/09 in the amount of \$802.25 for LCSTP Decommissioning Planning. Dana seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

C. Pennoni, Inv. #399356, 2/05/09 – \$16,193.00

Joe moved to approve payment of the Pennoni Invoice #399356, dated 2/05/09 in the amount of \$16,193.00 for the RCSTP Expansion. Jack seconded the motion. Evan noted that \$10K was reallocated from Section 5, Construction to Section 6, Additional Submittals; \$2,840.50 has been billed to date. No further discussion or public comment was heard. The motion passed unanimously.

D. Pennoni, Inv. #399357, 2/05/09 – \$1,391.50

Dana moved to approve payment of the Pennoni Invoice #399357, 2/05/09 in the amount of \$1,391.50 for the 2008 Chapter 94 report. Jack seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

E. Worth Payment #1 - \$561,150.00

The first payment request is in the amount of \$561,150.00. This amount is based on the approved schedule of values, completed work, bond issues, minus 50% mobilization reduction. Members discussed cost of materials, including the concrete, rebar and percentage of complete work. Joe said it is unacceptable for several reasons: its not on an AIA document, it's incorrectly dated, they need back-up data on the sub-contractors and a release of liens. Rick said an AIA form is not required but Joe disagreed. Evan said the spreadsheet format provides all the same information as the AIA form and is commonly used. Worth cited that it's unusual to get copies of invoices after the schedule of values has been approved. Joe McDonough agreed that a release of liens is needed to verify payment of the sub-contractors but Rick said that is why they have a "Labor & Materials Bond." Joe McDonough suggested making partial payment but that would invalidate the contract. Bob suggested approving full payment, then requesting documentation based on the contract.

Joe moved that the Municipal Authority authorize payment of the Worth Invoice as submitted for \$561,150.00, subject to receipt of the release of liens, correction of the invoice date and delivery of any documents EGT is entitled to under the contract.

Jack seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

6. LIAISON REPORTS

- A. PC – Megann reported that the PC recommended approval for a C-5 District zoning amendment to allow the Pennsylvania Leadership Charter School (PALCS) to convert the IBM building into a Cyber School Campus for gifted 5th – 12th grade students; conditional use will be reviewed in March.
- B. CB – Walter said they are working on tree plantings and are considering recommending an amendment to expand the riparian buffer from 50' to 100' to match the state requirements.
- C. BOS – Joe said there are various on-going issues. Regarding the RCSTP, they fully support the grant but have major concerns about non-contractual township costs outside the scope of the bid (ie. fences, signs, etc.) as they are cautious following the district court project. Joe reminded him that contingency costs are part of the bid.

7. FINANCIAL REPORTS

MA members reviewed the accruals for 2008 and estimates for 2009. Mike commended Deb for the report and looks forward to working with her to keep better track of their funds.

8. GOALS

Mike submitted an article summarizing the governor's task force report and EGT's pro-active response, for the spring newsletter. Mike will attend the 3/4/09 West Goshen meeting.

9. OLD BUSINESS – none

10. NEW BUSINESS

A. Resolution No. 28

Jack moved that the Municipal Authority accept Resolution No. 28, noting one spelling correction. Dana seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

B. H2O PA Grant

Mike moved that the Municipal Authority authorize the chairman to sign the letter for the H2O PA Grant Application. Dana seconded the motion. No further discussion or public comment was heard. The motion passed unanimously.

11. SEWER REPORTS

Jack noted that Mark put up a split rail fence and RSCTP signs (for directional purposes) but they are a good investment for the township and serve to improve resident relations.

12. PUBLIC COMMENT – none

13. ADJOURNMENT

Joe moved that the MA adjourn. Jack seconded the motion. No further discussion or public comment was made. The motion carried unanimously. The meeting adjourned at 8:35 PM.

Respectfully submitted by: _____
Tracie Hill, Recording Secretary